

THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA

April 15, 2011

Minutes of a regular meeting of Council held on Friday, April 15, 2011 at 14:00 h. in Council Chambers.

1. CALL TO ORDER & MOMENT OF SILENCE

- i. Before roll call could be taken Reeve Stewart expressed her concern with a situation whereby two members of Council failed to file their Financial Statements – Form 4 from the elections held this past fall. The deadline was March 25, 2011. The legislation states in Section 80 (2) that “the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant”. Reeve Stewart stated that according to the legislation the requirements of the act were not met, she had a problem with that, that according to the Ministry of Municipal Affairs and Housing rep, Steve Seller that they were no longer participating members of Council under the law.
- ii. Councillor Aiston responded, as one of the candidates who did not file, that this was the opinion of a junior civil servant which had no legal standing. MMAH did not have the authority to state that Council is not duly constituted; that a charge must be laid under the Act and if the ministry so chooses it can. Until that time, he was a member of this council and would not step down.
- iii. Councillor Gibson, being the other member who did not file, then stated that unless he heard otherwise from a Senior Deputy Minister he was remaining a member of this Council until he was removed in handcuffs.
- iv. Reeve Stewart stated that according to the legislation as of March 25, 2011 the members forfeit their seats; that we are now two members short; and that she did not wish to proceed. That she had a problem with this situation.
- v. From a municipal perspective, I explained that although the legislation was as written, the failure to submit was simply an oversight and not any means of deceit or disdain and that since we did not even have an election, I had contacted our MMAH representative to request additional information as to how to proceed. He had not yet responded and until he did, I did not know what more to do. I explained further that I had spoken with the Municipal Solicitor who agreed that the legislation was quite clear and that I should advise the individuals in question to seek independent legal counsel. That had been completed on April 7, 2011.
- vi. Discussion ensued for some time with an impasse. Reeve Stewart was adamant that these individuals did not hold seats. They each declared that they did until they were charged under the Municipal Elections Act.
- vii. At this time I stated that the Procedure By-law indicated that should the Head of Council refuse to act, the delegate could preside over the meeting.
- viii. At 2:23 Reeve Stewart left the room. At 2:24 Councillor Reid left stating that “all I know is that I was told we had to complete the forms and I did.”
- ix. With three members remaining, I completed a roll call, asked if Councillor Gibson as the Head of Council alternate wished to preside. He accepted and the meeting commenced.

2. ROLL CALL

The following were present: Councillors: Ed Aiston, Dave Foote, and Jim Gibson.

Absent: Reeve Stewart and Councillor Robert Reid.

- ## **3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**
- None, Councillor Gibson stated that as Chair Council is doing nothing illegal today and the meeting will continue.

4. ADOPTION of MINUTES of PREVIOUS MEETINGS (INCLUDING COMMITTEES) (Resolution Prepared)

- i. Council Minutes
Resolution # 15/04/11/001

Moved by Councillor Aiston and seconded by Councillor Foote

BE IT RESOLVED THAT the minutes of the regular meeting of Friday, April 1, 2011 be accepted as presented.

Carried

- ii. Library Board Minutes – for information only

5. DEPUTATIONS/PRESENTATIONS

– none

6. CORRESPONDENCE & PETITIONS

– FYI only - documents not included

7. CORRESPONDENCE

(Please advise if you feel any item warrants further consideration at a subsequent meeting.)

- i. Canada Day Committee – re: request for flag pole at Old Mackey Park and for Council to attend and sign at the celebration –

Action: Clerk to respond with sorry, but no - that since this request was received after the 2011 budget was set we do not have the time or money to deal with it this year.

- ii. Cathy Balla-Boudreau on behalf of the Women's Wellness group – re: use of the Municipal Hall for a second morning a week for yoga –

Action: Clerk to respond with permission

- iii. The Metis nation of Ontario – re: letter of introduction and "Duty to Consult" as Aboriginal people – info (administrative requests have been completed)
- iv. City of Mississauga – re: request for Ontario government to share a portion of the HST from gas and diesel sales with municipalities for transportation infrastructure - info
- v. Phoenix Centre – re: request to officially declare Children's Mental Health Week - info
- vi. Municipality of Tweed – re: Funding for destruction of buildings used in grow ops - info
- vii. Ingersoll – re: support for Ontario Bill 22 and Act to Amend the Children's Law Reform Act – Clerk apologized for not providing background info, suggestion to bring back to next meeting – approved by Council

Action: Clerk to bring back for next meeting

- viii. Halton Region – re: HST Revenue and new funding Mechanism for Transportation Infrastructure - info
- ix. County of Renfrew – re: Council Communique - info
- x. OGRA – re: 2011 Ontario Budget - info
- xi. Amo: - re: Federal Budget - info
- xii. AMO – re: Report to Members on Board Meeting - info
- xiii. Ministry of Community and Social Services – re: Accessibility training - info
- xiv. County of Renfrew – re: Farm and Forest Rebates - info

8. STAFF REPORTS (For information only)

- i. Clerk's Report #15/04/11/801 – information

9. FINANCIAL REPORTS

- i. Comparative Income Statement Report #15/04/11/901

Resolution # 15/04/11/002

Moved by Councillor Foote and Seconded by Councillor Aiston

BE IT RESOLVED THAT the Comparative Income Statement dated April 12, 2011 be accepted as presented.

Carried

10. BY-LAWS - none

11. UNFINISHED BUSINESS - none

12. ADDENDUM (NEW BUSINESS) (reports and resolutions prepared)

- i. Report #15/04/11/1201- Amend Building Permit Fees

Resolution # 15/04/11/003

Moved by Councillor Aiston and Seconded by Councillor Foote

WHEREAS the Chief Building Official deems it appropriate to amend the current building permit fee schedule slightly to be more fairly reflect actual costs;

AND WHEREAS a public involvement process is required in order to make changes under the *Building Code Act*;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby approve staff completing the process to make the suggested changes as per the details in report # 15/04/10/1201.

Carried

13. IN CAMERA OR CLOSED SESSION - none

14. QUESTIONS AND ANSWERS

- i. Councillor Foote asked how the issue of forfeited seats would be resolved. The consensus is that we will continue as is until we are told otherwise.

15. CONFIRMATION OF PROCEEDINGS

Resolution # 15/04/11/004

Moved by Councillor Foote and Seconded by Councillor Aiston

BE IT RESOLVED THAT By-Law 2011-12 being a by-law to confirm proceedings of the Council of the United Townships of Head, Clara & Maria at its meeting held on April 15, 2011 be read a first time short and passed.

Carried

16. ADJOURNMENT – (Resolution Prepared)

Resolution # 15/04/11/005

Moved by Councillor Aiston and seconded by Councillor Foote

BE IT RESOLVED THAT this meeting adjourn at 14:50 h to meet again Friday, May 6, 2011 at 14:00 h.

Carried

For Reeve – Tammy Lea Stewart
Councillor Gibson (acting as Chair)

Melinda Reith – Clerk